

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TC 1700

In re: Application

Inventor: Jeffrey W. Carr  
Appl. No.: 10/002,035  
Confirm. No.: 5043  
Filed: November 1, 2001  
Title: APPARATUS AND METHOD  
FOR ATMOSPHERIC PRESSURE  
REACTIVE ATOM PLASMA  
PROCESSING FOR SHAPING OF  
DAMAGE FREE SURFACES

PATENT APPLICATION

Art Unit: 1746  
Examiner: Allan W. Olsen

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on August 8, 2003.

Jason D. Lohr, Reg. No. 48,163  
Signature Date: August 8, 2003

(Attorney Signature)

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56**

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

***Enclosed with this statement are the following:***

✓ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.

— A copy of each cited document as required by 37 C.F.R. §1.98. Copies are not submitted of documents previously submitted by the applicant in a parent application from which benefit under 35 U.S.C. §120 is claimed, 37 C.F.R. §1.98(d)(1), with an information disclosure statement submitted in the parent application which complies with the Sept. 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R.

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§ 1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP § 609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in § 1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. § 1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP § 609A(3).

✓ A copy of the PCT International Search Report dated March 27, 2003 as well as the references which are cited therein are enclosed, except for the references which were previously cited in the IDS dated April 22, 2002.

✓ A copy of the PCT International Preliminary Examination Report dated May 27, 2003, as well as the reference cited therein are enclosed.

— **PTA Statement under 37 C.F.R. § 1.704(d).** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the information disclosure statement.

***This statement should be considered because:***

✓ **37 C.F.R. § 1.97(b).** This statement qualifies under 37 C.F.R. § 1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);  
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;  
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,  
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114.

— **37 C.F.R. § 1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. § 1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL office action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

- (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. § 1.97(e).  
-- OR --
- (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. § 1.17(p).

✓ **37 C.F.R. § 1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. § 1.97, subsection (d) because:

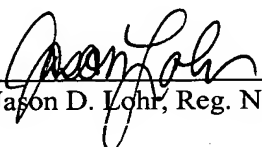
- (1) It is being filed on or before payment of the issue fee;  
-- AND --
- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);  
-- AND --
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

✓ **Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER DUBB MEYER & LOVEJOY LLP

Date: August 8, 2003

By:   
Jason D. Lohr, Reg. No. 48,163

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